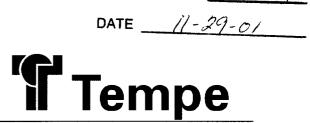# Memorandum

City Clerk

ꓔ Tempe

TO: Mayor and Council
FROM: Kathy Matz, City Clerk (x8242)
RE: Election Issues – November 29, 2001 Issue Review Session
DATE: November 20, 2001

Issue #1:   Early Voting Site at Tempe Public Library

Summary: Council has asked staff to research the time period for the Early Voting
                site at the Tempe Public Library.

Analysis:
The City of Tempe has had at least one Early Voting site since 1991 when State law
was changed to permit Early Voting. Originally, Tempe had one Early Voting site at
City Hall and one at the Tempe Public Library at Rural and Southern. Prior to the city
elections in 2000, Council decided to eliminate the Early Voting site at City Hall
because of the low number of ballots cast there. Early voting at the Tempe Library,
however, has always been very popular; and it is consistently, in fact, one of the busiest
early voting sites in the state. In the recent Special Mayoral Recall Election, a record
1799 Tempe voters cast their ballots at the library during the Early Voting period.

State law mandates that Early Voting will begin 33 days before each election and end at
5:00 p.m. on the Friday before each election. Cities can individually determine if they
will have early voting sites, as well as the operating dates and times for those sites.

Tempe City Council policy is that Early Voting at the Library will begin 30 days prior to
the election. The City of Gilbert also opens its Early Voting site 30 days before the
election. The cities of Phoenix, Chandler, Scottsdale, Mesa and Glendale all open their
Early Voting sites on the first day of Early Voting.

Fiscal Impact: The cost of equipment rental and materials is nominal and
                        remains the same, regardless of the length of the Early Voting
                        time period. Poll workers are paid $8-10/hour, depending on
                        experience. The costs of the Early Voting site for the 2001
                        Special Recall Election was approximately $4000.

Action Requested: Staff is seeking Council direction on the start date of Early Voting
                        at the Library for the March 2002 Primary and May 2002 General
                        elections.

Issue #2:   March 2002 Ballot Format

Summary: Council has asked staff to research ballot options for the March 2002 Primary Election, in light of time constraints associated with <u>Sherman v. City of Tempe</u>, a case now pending before the Arizona Supreme Court, which should determine the length of the current mayoral term and, therefore, whether a mayoral election is necessary in March 2002.

Analysis:

The City of Tempe will hold its next regularly-scheduled primary election on Tuesday, March 12, 2002. Currently, based on the Arizona Court of Appeals decision in the <u>Sherman</u> case, staff is planning for the election of a Mayor and three Councilmembers. The final outcome of the <u>Sherman</u> case could, however, negate the necessity of a mayor's race. The timing of that case conflicts with election preparation, as follows:

Deadline for Candidate Petitions/Paperwork	December 12, 2001
Final Primary Ballot Proof Due	December 18, 2001[1]
Oral Arguments - <u>Sherman v. City of Tempe</u>	January 10, 2002[2]
Supreme Court Decision	Undetermined
Early Voting for Primary Election Begins	February 7, 2002
Primary Election Day	March 12, 2002

(<u>See</u> Attachment A for a more detailed Election Calendar.)

The timing of the case is such that ballots for the primary election may have already been printed before the Supreme Court hears arguments on the case on January 10, 2002. At this point, we do not know how many mayoral candidates will be on that ballot.

The issue before Council is what to do with the ballots for the mayoral election, in light of the <u>Sherman</u> case?

OPTION ONE: Print one ballot containing both the Mayor and Council races.

OPTION TWO: Print two separate ballots, one for the Mayor's race and one for the Council race. There will be no ballot issues for the Primary.

Fiscal Impact:

Putting the Mayor's race on a separate ballot from the Council race will almost double the cost of the primary election because, in essence, the City would be conducting two separate elections. In this case, voters who request an early mail ballot would be sent two ballots in separate envelopes. Voters who vote at the polls on election day would sign two registers and vote two separate ballots. The results of each race would be separately tabulated. The number of polling places and poll workers would, however, remain the same, thereby eliminating the cost of additional poll worker wages.

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[1] The County can charge up to $5000 per day for changes to the ballot made after this deadline.

[2] The Arizona Supreme Court is expediting the case, but it is uncertain when its decision will be handed down. Staff currently anticipates a decision by the end of January 2002.

ESTIMATED ELECTION COSTS	One Ballot	Two Ballots[3]
(based on 2001 Special Recall Election, major items only)		
Early Ballot Request Cards	18,558.50	same
Election Day Services/Training/Prep ($.73 per registered voter)	54,311.27	108,622.54
Early Mail Ballots ($1.47 per requested ballot)	24,940.02	49,880.04
Early Voting Site at Library	3,988.85	same
ESTIMATED TOTAL	$101,798.64	$181,049.93

One advantage to printing two ballots would be that, if the Supreme Court determines that there will be no Tempe Mayor's race in March of 2002, and if that decision comes down before Early Voting begins on February 7th, then all of the mayoral ballots could be pulled. If, however, the Court decision comes down after early balloting begins, then the issue of two separate ballots obviously becomes much more complicated.

Action Requested: Staff is seeking direction regarding whether the Mayor and Council races should be on the same ballot or on separate ballots for the March 2002 Primary Election?

Attachments: A – Election Deadlines
              B – Early Voting Totals and Comparison

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[3] These are approximate numbers only based on initial information from the County. These costs will be further discussed with County elections officials prior to the 11/29 IRS. Any supplemental information will be provided to Council prior to the Council meeting.

ATTACHMENT A

2002 ELECTION CALENDAR – MARCH 12 PRIMARY AND MAY 21 GENERAL

DATE	EVENT
November 27, 2001	County Deadline for Primary Ballot Issue Language
December 9, 2001	1st Day to Request Early Mail Ballot for Primary
December 12, 2001 *90 Days Prior to the Primary Election*	Candidate Nomination Petitions due by 5:00 p.m. Pre-Clearance Submission to Department of Justice
December 13, 2001	Ballot Proof Received from County for review Final City Council Meeting of 2001
December 18, 2001 *84 Days Prior to the Primary Election*	Final Primary Ballot Proof to Printers
January 10, 2001	Oral Arguments – Supreme Court of Arizona *Sherman v. City of Tempe*
January 11, 2002 *60 Days Prior to the Primary Election*	Early Ballot Request Cards (Primary/General) Mailed to All Registered Voters Deadline for Council Resolution re: Election Procedures
January 21, 2002 *120 Days Prior to the General Election*	MARTIN LUTHER KING, JR. DAY HOLIDAY
January 22, 2002 (because of 1/21 holiday, deadline moves to 1/22)	Deadline to file Initiative Petitions for General Election
January 28, 2002 *10 days prior to start of Early Voting*	Sample Ballots Mailed to All Registered Voters
January 31, 2002	Jan. 31st Campaign Finance Report Deadline
February 5, 2002 *105 Days Prior to the General Election*	County Deadline for General Ballot Issue Language
February 7, 2002 *33 Days Prior to the Primary Election*	Early Voting Begins – Primary Election
February 11, 2002 *29 Days Prior to the Primary Election*	Deadline to Register to Vote in Primary Election *Early Voting Begins at Library – thru 3/8 at 5pm

| February 17, 2002 | First Day to Request Early Ballot for General Election |

February 17, 2002 — First Day to Request Early Ballot for General Election

January 28, 2002 — Supplemental Mailing of Sample Ballots to Newly-Registered Voters

February 20, 2002
90 Days Prior to the General Election — Deadline for Arguments For/Against General Election Ballot Proposals

February 26, 2002
14 Days Prior to the Primary Election
84 Days Prior to the General Election — Deadline to file as Write-In Candidate for Primary
Final *General* Ballot Proof to Printers

March 1, 2002 — Deadline to Request Early Mail Ballot for Primary

March 2, 2002
10 Days Prior to the Primary Election — Deadline to Publish City Financial Statement in Paper

March 8, 2002 — Early Voting Ends at 5pm

March 12, 2002 — PRIMARY ELECTION DAY
POLLS OPEN 6am – 7pm
Election Results at 8pm in Council Chambers

March 22, 2002
60 Days Prior to the General Election — Deadline for Council Resolution re: Election Procedures

March 27, 2002 — Deadline for Primary Election Canvass

April 8, 2002 — Deadline for Distribution of General Publicity Pamphlets to All Registered Voters (per Sherman decision, must occur 10 days before early voting begins on 4/18)

April 18, 2002
33 Days Prior to the General Election — Early Voting Begins – General Election

April 22, 2002
29 Days Prior to the General Election — Deadline to Register to Vote in General Election
*Early Voting Begins at Library – thru 5/17 at 5pm

May 17, 2002 — Early Voting Ends at 5pm

May 21, 2002 — GENERAL ELECTION DAY
POLLS OPEN 6am – 7pm
Election Results at 8pm in Council Chambers

June 5, 2002 — Deadline for General Election Canvass

*Date established pursuant to current Council policy.

ATTACHMENT B

EARLY VOTING TOTALS – SEPTEMBER 11, 2001 SPECIAL RECALL ELECTION
Location: Tempe Public Library
Hours of Operation: Monday-Thursday, 10am – 6pm; Friday-Saturday, 10am – 5pm

Week of August 13:   464 Votes Cast

Week of August 20:   214 Votes Cast

Week of August 27:   180 Votes Cast

Week of September 3: 616 Votes Cast

Total Votes Cast During Early Voting at Tempe Library: 1799

Total Tempe Votes Cast During Early Voting at County Sites: 16

TOTAL 1815

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EARLY VOTING IN OTHER CITIES

Mesa   1 Early Voting site
                  Begins 33 days prior to the date of the election

Chandler   1 Early Voting site
                  Begins 33 days prior to the date of the election

Phoenix   1 Early Voting site
                  Begins 33 days prior to the date of the election

Scottsdale   1 Early Voting site
                  Begins 33 days prior to the date of the election

Glendale   1 Early Voting site
                  Begins 33 days prior to the date of the election

Gilbert   1 Early Voting site
                  Begins 30 days prior to the date of the election

Tempe   1 Early Voting site
                  Currently begins 30 days prior to the date of the election